

CAPT. A. A. SMITH GOES TO PRISON

Pleads Guilty to Taking Money
Out of Mails.

WIFE WEEPS IN DEEP SORROW

SENTENCE IS TWO YEARS AND
SIX MONTHS.

Standing trembling and with downcast eyes, while his wife burst into hysterical weeping, Captain Andrew A. Smith, formerly of the national guard of Utah, was sentenced yesterday to two years and six months in the state penitentiary. He is now an inmate of that institution.

Yesterday was arraignment day in the United States court, and a number of men indicted by the recent grand jury for violations of federal laws stood before the bar of the court and entered pleas to the accusations against them. All except one of the accused acknowledged that the charges against them were true, and either in person or through their attorneys begged Judge Marshall to deal leniently with them. At the head of the small procession of self-confessed culprits that filed into the enclosure before the judicial bench was Captain Smith, who at the time of his arrest on Sept. 25, 1904, for stealing money from a letter while at work as a clerk in the Salt Lake postoffice, was captain of the signal corps, N. G. U. At that time he had but recently returned from the national guard encampment at Camp Black Hawk near Provo, where the signal corps had elicited praise from Captain George H. Japenson of the United States army, who was in command of the regulars that participated in the encampment.

Enters Plea of Guilty.
Captain Smith, when called upon to plead to the indictment charging him with appropriating a letter addressed to "Mrs. Shores & Shores," opening it and taking \$3 therefrom, answered "guilty" in a voice that was so muffled that he was required to repeat it more distinctly. He stood trembling and downcast during the brief time that elapsed before his punishment was meted out to him. His attorney made a plea for a light sentence, saying that he was a young man of good education, had always borne an excellent reputation, that this was his first offense and that he was not physically able to endure heavy or long continued punishment. Judge Marshall found no merit in the plea of the attorney, saying that if he were well educated and accustomed to associating with cultured and intelligent people he certainly knew better than to open a letter and take the money it contained. He sentenced Captain Smith to serve two years and six months in the Utah penitentiary.

As the sentence of the court was pronounced the wife of the prisoner, who sat near him, uttered a piercing wail and became hysterical. The half-ried reached her in time to prevent her falling to the floor, and they led her from the court room. Later she recovered sufficiently to be permitted to bid him a tearful and affectionate goodbye as he was led away.

After the adjournment of the court the prisoner was taken to the penitentiary by Deputy Marshal L. M. Smyth and delivered to the warden, who received him and had him assigned to a cell after going through the "dressing in" and other preliminaries.

One Year For Arthur Tew.

Arthur Tew, a boy indicted for taking checks for small amounts from letters addressed to the Utah State and Federal ware company on June 11, 1904, pleaded guilty and was given a sentence of one year in the county jail and to pay a fine of \$50 and costs of prosecution. He claimed he obtained the letters out of a broken letter box. One of the checks was for \$2 and the other for \$2.50. He attempted to get them cashed, but failed and was arrested.

A. McCarthy acknowledged himself guilty of having in his possession and passing counterfeit money, and was sentenced to eleven months in the county jail and to pay a fine of \$50 and costs.

Andrew Christensen, indicted for counterfeiting, entered a plea of not guilty, and his trial was set for next Wednesday.

John A. Gardner, who was convicted in the court of selling liquor to Ungaska, a Ute Indian, was given a sentence of ten months in the county jail and fined \$100 and costs.

ONE MORE LIQUOR CASE.

Robert Reynolds Will Be Tried Tomorrow For Selling to Indians.

Robert Reynolds will be put on trial in the United States court tomorrow morning on the indictment charging him with selling liquor to Indians.

He is the last of the trio of "white men arrested on the trip for 'No Man's Land' near Fort Duchesne, for this crime against the government. The other two, Joe Hicks and John A. Gardner, have been convicted. Six of the Indians, Ned, Ungaska, Ungup, Quinbach, Wario and Cocanout, used as witnesses against Hicks and Gardner, have returned to the reservation. The other red men, Tabby Weep, White, Bacco White, Inayocoo, Povevup and Verney Mack, remain to testify in the Reynolds case. Some of the Indians will receive as much as \$60 for coming to Salt Lake and testifying.

CITY JUDGE MAY PRACTICE.

Thus Rules Supreme Court in Suit Against Railroad.

In the damage suit of Mary J. Nichols against the Oregon Short Line railroad company the supreme court yesterday rendered an opinion written by Justice Bartch, upholding the decision of the district court, which awarded her \$3,000 damages for injuries received in May, 1900, in a collision near Bancroft, while she was on her way to Soda Springs. The case has been twice appealed.

The principal ground for the appeal was that H. S. Tanner, one of the woman's attorneys, was a city judge. This was overruled on the ground that a city judge was higher than an ordinary justice of the peace, who is permitted to argue cases outside of his own court. Another objection made by the railroad was that the loss of memory which the woman claimed to have incurred was not necessarily produced by the accident. The court held that a loss of memory might just as reasonably follow as any other injury. The company's attorney's claim that the damages were excessive was overruled. The court holds that the amount of the damages is a matter wholly within the province of the trial jury. As long as there is evidence to support the verdict the supreme court holds that it has no power to pass upon it or to set it aside as being excessive.

In all such cases the trial court should exercise sound discretion and not prevent a miscarriage of justice," said the decision. "The judgment is affirmed with costs."

Court Notes.

Justice Clark has rendered a judgment of \$134.40 with \$7.50 costs in favor of the Utah Mining Machinery & Supply company against the Martha Wash-

ington Mining company. The case has been appealed to the district court.

Judge Lewis yesterday dismissed the suit of William C. Staines against the Utah Savings & Trust company, administrator of the estate of the late James P. Woodman. John A. Van Pelt, the intervenor, has filed a stipulation stating that John Woodman satisfied Staines' claim by the payment of \$16,411.33. Van Pelt has been satisfied by the payment to him of \$2,500 by the Ohio Copper company. Action was brought to recover on money loaned by Staines to the deceased and the latter could buy some mining claims.

Acting on the application of the Kuper Pickle company, a creditor of the Western Vinegar & Pickle company, Judge Morse yesterday appointed John J. Thomas a receiver for the latter corporation. The Kuper company a few weeks ago began foreclosure proceedings against the bankrupt concern.

James A. Luke has commenced suit against Israel Bension, administrator of the estate of Margaret Vandebarker, for a judgment amounting to \$900. Nov. 7, 1891, according to the complaint, H. McCoy secured a judgment against the late Margaret Vandebarker for \$200. Afterwards the judgment was assigned to Luke. An action on the judgment brought in Justice Sells' court within the last month and disallowed, "not upon its merits," according to Luke.

Judge Lewis yesterday rendered a verdict for the defendant in the suit of H. Christensen against Constable David Reid and O. H. Pike. Action was first brought in the justice court to recover some property taken by Reid for Pike, and \$30 damages. The property was taken pursuant to a decision rendered by a justice in Murray. Christensen claimed the chattels taken were exempt from seizure.

Judge Morse yesterday dismissed the suit of P. A. Sorensen against P. M. M. Harper, S. A. Pillerup and Mrs. Bessie Taylor. Action was brought to recover on two promissory notes, one for \$200, executed March 5, and due at the rate of \$40 a month; the other note was for \$122.40. Sorensen believed the debtors were becoming insolvent and when he brought his suit for judgment last month asked the court to appoint a receiver.

Henry R. Carrington has petitioned the probate court for letters of administration for the estate of his deceased mother, Mrs. Mary A. R. Carrington. The real estate of the woman is valued at \$6,000, being a brick house which pays \$20 a month rent. The personal property is valued at \$450. There are three children to share in the property. The court is asked to issue letters testamentary to W. T. Gunter.

John Doe Sparks and Frank Edginton, charged with burglary and petit larceny, were arraigned before Judge Lewis yesterday. Edginton pleaded guilty to petit larceny and will be sentenced Dec. 17. Sparks pleaded not guilty to both charges. The men were arrested Thanksgiving for stealing twenty-five chickens from J. A. Williams' hen coop.

Roy Jones was given a decision against David Kosht yesterday by Judge Sparks, settling title to No. 1, block 2, Park place addition to Salt Lake City.

Because William Brown did not answer when his name was called in Judge Lewis' court yesterday his bonds were declared forfeited. The man was charged with burglarizing a Rio Grande car at Crescent, Oct. 11. He was to have been arraigned yesterday morning.

C. E. Dugger, now confined in the county jail as he has been unable to secure bail, yesterday pleaded not guilty in Judge Lewis' court to the charge of criminally assaulting a girl 12 years old.

GIFT TO SUPT. ASHTON.

County Teachers Present Retiring Officer with Bookcase.

The teachers of the district schools of Salt Lake county at the institute held yesterday at Brigham Young memorial hall, presented Supt. W. Ashton the retiring county superintendent of schools, with a bookcase, writing desk and chair. The bookcase was an elegant one, each section being the gift of a different group of county school teachers. Preston Richards of the Taylorville school, a former pupil of Mr. Ashton, presented one section. His father, Dr. S. L. Richards of Sugar House ward, gave another section.

The presentation speech was made by J. E. Moss, the defeated candidate for county superintendent of schools. Superintendent Ashton responded and John W. Smith, county superintendent of schools-elect, also made a short address. Children from a number of schools throughout the county gave musical and literary selections.

ARRANGES FOR JACKSON DAY

Committee Sets Jan. 7 For Date of Celebration.

The general committee in charge of the Jackson day celebration met yesterday at the Democratic headquarters on West Second South street and decided upon the evening of Saturday, Jan. 7, as the time for holding the festivities. There will be a reception followed by an informal banquet. Speeches are to be made by prominent Democratic leaders and musical selections will be rendered. All the Democrats in the state are invited to be present with their families.

The sub-committee in charge of the programme will announce its arrangements this week. Judge Orlando W. Powers is the chairman and Joseph M. Cohen the secretary of the general committee of arrangements.

CUTLER QUILTS \$20 JOB.

Governor-Elect Resigns as United States Jury Commissioner.

Governor-elect John C. Cutler yesterday filed his resignation as jury commissioner with the clerk of the United States court, thus relinquishing an office the compensation of which is about \$30 a year.

However, it enabled him in the last campaign to show that he was a man eminently qualified to fill an exalted position.

NOTED AUTHOR DEAD.

Boston, Dec. 10.—Rev. Dr. Ross C. Houghton, formerly of Portland, Ore., a well-known retired Congregational clergyman and the author of several historical books, died today at his home in Malden, aged 62 years. He had been pastor of prominent churches in Utica and Buffalo, St. Louis, Cleveland and Indianapolis. For some time he was president of McKendree college of Lebanon, Ill.

WOULD TAKE WEEKS.
Rome, Dec. 10.—The foreign bishops now in Rome are so numerous that it would take weeks for the pope to receive them singly, and he has decided to give them a collective audience Monday, except those having personal or important matters to discuss with the pontiff.

BLACKMAR COMING WEST.

Omaha, Dec. 10.—Commander-in-Chief Blackmar of the G. A. R. arrived in Omaha today with a party of veterans and will spend a day in this city, the guest of the Nebraska department of that organization. Tonight a reception was tendered Mr. Blackmar. He will leave tomorrow for Denver.

ANTI-ANARCHIST BILL.

Madrid, Dec. 10.—The senate today passed the government's anti-anarchist bill.

WALKER'S STORE.

News Extraordinary--Entire Stock of Wool Shirt Waists Entire Stock of Separate Skirts at Exceptional Sacrifice Prices.



It's an ill wind that doesn't blow good to somebody. Full one-third of regular price has blown off our waists and more off our skirts to your advantage. We wanted a broad and comprehensive stock. We got it, but to our own undoing. You'll find every style of waist, every kind of skirt the season knows. Fabrics in the waists are flannels and wools. In the skirts--walking and dress lengths--voiles, etamines, serges, worsteds, broadcloths, etamines. The first and greatest waist and skirt sale of the winter. Tomorrow and week :--

SKIRTS

Group of Fifty Skirts
\$2.50 up to \$15 Each--
Half Prices.
All \$3.50 Skirts for \$2.34
All \$4 Skirts for \$2.67
All \$5 Skirts for \$3.34
All \$7.50 Skirts for \$5
All \$10 Skirts for \$6.67
All \$15 Skirts for \$10
All \$20 Skirts for \$13.34
All \$25 Skirts for \$16.67
All \$30 Skirts for \$20
All \$35 Skirts for \$23.34

WAISTS

\$2.25 Waists for \$1.50
\$2.50 Waists for \$1.67
\$3 Waists for \$2
\$3.50 Waists for \$2.34
\$4 Waists for \$2.67
\$4.50 Waists for \$3
\$5 Waists for \$3.34
\$5.50 Waists for \$3.67
\$6 Waists for \$4.00
\$6.30 Waists for \$4.32
\$7.50 Waists for \$5.24
\$8.50 Waists for \$5.67

Exquisite Evening Robes--Most Wonderful Reduction Price Put on Each

Would you see one of the most luxurious assemblies in the city, find these Evening Robes displayed in dressmaking reception room tomorrow and all week. Bodice and skirt fashioned and ready all but a few stitches to complete a costume. Robes are ever the aristocrats of the dress goods stock. Every beauty is most daintily woven, every one most painstakingly embroidered by hand or shimmered over with rich jewels. Description of such things is always impossible. All women are invited to see them. And no woman for the matter of cost is barred the possession of a handsome evening robe. This is a case where the luxuries of the few are priced within reach of the many. READ:--

Four Opalescent and Iridescent
Robes, Reduced--
The \$125 to--\$44.
The \$175 to--\$69.
The \$200 to--\$89.
The \$250 to--\$99.
Six Jet Spangled Robes,
Reduced--
The \$75 to--\$29.
The \$85 to--\$31.
The \$95 to--\$35.
The \$100 to--\$39.
The \$125 to--\$41.

For \$5 Buy Fine New Kimonos and House Gowns That Were \$8 to \$12.50.

The greatest \$5 worth you ever had. The collection consists of seventy-five charming style wrappers and short or long kimonos. Any one of them a pretty gift if you like. Kimonos and saronges are made of different light color silks, prettily trimmed with laces and ribbons. Wrappers made of cashmere--pink, blue, old rose; lined waist and skirt, trimming of fancy braids. Regular prices were \$8 up to \$12.50; choice while the lot lasts--\$5.

Little Presents You May Be Thinking of Giving-- One Third Off Prices.

A great assortment of brush and comb sets, cloth brushes, hair brushes, bonnet brushes, puff jars, combs with sterling silver backs, penknives, ink wells, mirrors, smoking sets, embroidery scissors, match safes, baby brush and comb sets and some other articles. Prices from \$5 each up to \$12. Monday and week--ONE-THIRD OFF THESE PRICES.

HANDSOME HAND BAGS.

The intention when buying was to have the finest lot of hand bags for Christmas we could pick. The assortment now is at its very best and variety seems almost unlimited. All the beautiful kinds of leathers made into all the new shapes, many exquisitely lined, may be seen, but as well plenty of the plainer good kinds. Every one is priced to the lowest notch, indeed a third more for same grades is asked elsewhere. \$1.25, \$1.75, \$2.25, \$2.50.



THE
Men's Store
THE BEST
EVER!

Look around you'll find more suggestions for Christmas giving to men than ever before. Just myriads of beautiful ties, made of all the new silks and in the Newest Shapes. House Coats in broad variety that pungently proclaim--"if you'd keep 'him' home evenings buy me." Quantities of Fancy Hose, Dress Protectors, Mufflers, Suspenders, Gloves, Handkerchiefs, Pajamas, Night Shirts and so on. A welcome to every one whether to just look or buy. This special reduction on fifty dozen handkerchiefs all week if they last:

25c EACH INITIAL HANDKERCHIEFS--THREE FOR 50c.

Men's all linen Handkerchiefs, full size with hand embroidered initials, unaltered, sell regularly at 25c each, Monday and until the lot is gone--each 20c or three for 50c.

Every Day is Children's Day, Now, in the
TOY STORE.

Pay Very Little for the Very Best of Shoes.

\$3.45 for \$4 to \$6 Women's Shoes.
\$1.45 for \$2.50 Misses' Shoes.
95c for \$1.25 Infants' and Children's Shoes.

No winter weather. A great big stock of winter shoes. Not a very comfortable condition for the store man. Price is lowered enough to better the matter. Should take away every shoe offered long before the week's end. Over thirty different styles of women's shoes to choose from. All the new leathers, all the style styles, all heel styles, all the sizes complete. Wright & Peter's finest. Sell at \$1 up to \$6 a pair. Reduced to--\$3.45. One hundred pairs of misses' shoes--patent colt, welt soles, button styles, very dressy. \$2.50 shoes until sold--\$1.45. Infant's and children's shoes, sizes 2 to 8, \$1.25 and \$1.50 values--95c.

Boys' and Girls' Store Has a Splendid Under-Price Offering--Coats, Dresses, Suits, Tams.

A splendid lot of misses' suits that are large enough, too, and suitable for small women. Sizes run 12 up to 15 years. Made of fancy mixture cloths, some plain colors, well tailored in Norfolk style. Regular prices have been until now \$15 and \$16. Lowered to--\$7. Children's coats, full length, made of ladies' cloth and heavily interlined; cape collars, nicely trimmed. Sizes 2 to 6 years. Were \$2.50 and \$2.75. Until gone--\$1.50. Boys' sailor suits, made of heavy serge and cheviot, red and navy blue colors mostly, but a few fancy mixture cloths; sizes 2 to 6 years. Excellent little suits. Reduced because of stock adjusting time's approach. The \$5 and \$6.50 for--\$2.50. The \$7.50 and \$8 for--\$4.50. Angora wool Tam O'Shanter's that were formerly \$1 and \$1.25 each--now 50c.

PERFUMERY. STATIONERY.

A choice lot of excellent perfumery put up in fancy bottles, entirely suitable and good enough for gifts. Reduced from 90 and 75c a bottle to--45c. Perfumery in large size bottles, all odors, good grade, sold regularly at 50c and 60c each. Reduced to--50c. Some handsome stationery that will make acceptable gifts--Humboldt, Mexican Ritz, Scotch Weave, Parisian oddities, Twilled Holland, Taffeta Velour, Japan Linen, two-tone linen; white and tints and in different pretty shapes. Monday and week (providing the lot lasts so long--

The 50c a box for--35c.
The 60c and 70c a box for--45c.

Women \$1 Side Elastics--65c.

Pretty kinds that are used for gifts. Made of ruffled silk elastic, white, pink, blue. \$1 each value. Monday, Tuesday and Wednesday--65c.

Sample Lines of Pretty Fancy Hosiery for Women, 35c Instead of 50c and 75c.

A lot of fifty dozen of manufacturer's samples we picked up because pretty hosiery is a very popular gift thing. The variety of embroidered effects is especially good and then there are lace patterns, too. Should sell for 50c to 75c a pair. Monday and week--35c.

Walker Brothers & Sons Co.